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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/522,257	01/25/2005	Marco Winter	PD020065	5627

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EXAMINER

LODHI, ANDALIB FT

ART UNIT	PAPER NUMBER
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2169

MAIL DATE	DELIVERY MODE
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PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/522,257

Applicant(s)

WINTER ET AL.

Examiner

Andalib F. Lodhi

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on April 26, 2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- ☒ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____
- ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- ☐ Notice of Informal Patent Application
- ☐ Other: _____

DETAILED ACTION

Drawings

1. The drawings were received on April 26, 2007. These drawings are acceptable.

Specification

2. The specification was received on April 26, 2007. This specification is acceptable.

Response to Amendment

3. This Office Action is in response to applicant's communication filed April 26, 2007. The Applicant's remarks and amendments to the claims and/or the specification were considered with the results that follow.

4. In response to the last Office Action, claims 1-11 have been currently amended. No claims have been canceled. 12-20 claims have been newly added. As a result, claims 1-20 are now pending in this application.³

5. Rejection of claims 1, 2, 4, 5, 10 and 11 under 35 U.S.C. 112, 2nd Paragraph has been withdrawn.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to

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be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Jahnke et al. in view of Anderson et al. (Patent no.: 5987458).

Regarding claim 1, Jahnke et al. teaches a method for "mapping a hierarchical data format with descriptors to a relational database" (As disclosed at Paragraph 0033, the XML file with descriptors, e.g., XML elements including tags and attributes, is "a hierarchical data format with descriptors" is mapped to a relation database as in Paragraphs 0035-0041). The Jahnke et al. method includes the steps:

separating the descriptors into portions of a plurality of common formats (The descriptors of the XML as in Paragraph 0033 are separated into portions of a plurality of common formats, e.g., elements, attributes, texts (Paragraph 0034)),

storing the portions of the plurality of common formats in relations in the relational database ("portions of the plurality of common formats in relations", e.g., elements, attributes, texts are in relations, are stored in "the relational database" as in Paragraphs 0035-0041),

storing information describing the descriptor structure in the relations together with the portion of common formats in relations in the relational database (As shown in Element Tables and Attribute Table at Paragraphs 0035-0036, ID and ParentID as "information describing the descriptor structure in the relations" together with elements, attributes, texts of the XML as "the portion of common formats in relations" are stored in Element Tables and Attribute Table as "the relational database");

wherein the information describing the descriptor structure includes an indicator for a hierarchical level of at least one of the portions of the plurality of common formats with the descriptors, and an indicator for a position of a next upper hierarchical portion of the plurality of common formats within the

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descriptors (As in the Element Table of Paragraph 0035, the second row includes ID = 2 of Element as "an indicator for a hierarchical level of at least one of the portions of the plurality of common formats with the descriptors" and ParentID = 1 of Element as "an indicator for a position of a next upper hierarchical portion of the plurality of common formats within the descriptors").

However, Jahnke et al. does not explicitly show on the prior art basis "wherein the information describing the descriptor structure includes an indicator for a hierarchical level of at least one of the portions of the plurality of common formats with the descriptors (see e.g. col. 7 lines 45-63, **note that internal pointer as an indicator**), and an indicator for a position of a next upper hierarchical portion of the plurality of common formats within the descriptors (see e.g. col. 7 lines 57-63 and col. 10 lines 53-60)".

Jahnke et al and Anderson et al. are analogous art because they are from the same field of endeavor of data structure.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Jahnke et al. an indicator for a hierarchical level of at least one of the portions of plurality of common format to taught by Anderson et al. to facilitate the extraction of information (see e.g. col. 14 lines 36-39) as taught by Anderson et al.

Regarding claim 2, Jahnke et al. teaches:

At least one of descriptor numbers relative positions of the portions of the plurality of common formats within the descriptors, and absolute positions of the portions of the plurality of common formats within the descriptors (see e.g. Paragraph 0012, note that storing all types of descriptor formats).

Regarding claim 3, Jahnke et al. teaches:

Providing independent relations for the common formats (see e.g. Paragraph 0003).

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Regarding claim 4 Jahnke et al. teaches:

method for storing a descriptor index in the relational database (see e.g. Paragraph 0035-0036), which allows storage of additional information for every descriptor (see e.g. Paragraph 0037-0041)

Regarding claim 5 Jahnke et al. teaches:

At least one of the descriptor numbers, absolute positions of the descriptors within the relations and unique identifiers for the descriptors (see e.g. Paragraph 0035, ID and Parent ID are the descriptor numbers in the relation.).

Regarding claim 6, Jahnke et al. teaches:

Hierarchical data format comprising descriptors corresponds to the Extensible Markup Language (see e.g. Paragraph 0020),

Regarding claim 7, Jahnke et al. teaches:

Common format comprise at least elements, attributes and text (see e.g. Paragraph 0034)

Regarding claim 8, Jahnke et al. teaches:

Common format text is divided into string values and integer values (see e.g. Paragraph 0035-0041)

Regarding claim 9, Jahnke et al. teaches:

The common formats comprise namespace information (see e.g. Paragraph 0014)

Claims 10 and 11 are reject using the same rationale as for the rejection of claim 1 above.

Claims 12 and 17 are reject using the same rationale as for the rejection of claim 2 above.

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Claim 13 is reject using the same rationale as for the rejection of claim 6 above.

Claims 14 and 18 are reject using the same rationale as for the rejection of claim 7 above.

Claims 15 and 19 are reject using the same rationale as for the rejection of claim 8 above.

Claims 16 and 20 are reject using the same rationale as for the rejection of claim 9 above.

Response to Arguments

5. Applicant's arguments with respect to claims 1-11 have been considered but are moot in view of the new ground(s) of rejection.

As argued by applicants at page 7:

Neither Jahnke nor Dodds, whether taken individually or in combination, teach or suggest, inter alia, the foregoing feature of the claimed invention. On page 5 of the Office Action dated February 2, 2007, the Examiner admits that Jahnke fails to teach a descriptor structure that includes an indicator for the next upper hierarchical level of a portion of a common format within the descriptors, and relies on Dodds for allegedly teaching such a feature (citing the Abstract and page 18, lines 16-19 thereof). However, the proposed combination of Jahnke and Dodds fails to teach or suggest, inter alia, the claimed feature of "wherein the information describing the descriptor structure includes an indicator for a hierarchical level of at least one of the portions of the plurality of common formats within the descriptors, and an indicator for a position of a next upper hierarchical portion of the plurality of common formats within the descriptors" recited in independent claims 1, 10 and 11.

The examiner respectfully disagrees.

As shown in Element Tables and Attribute Table at Paragraphs 0035-0036, ID and ParentID as "information describing the descriptor structure in the relations" together with elements, attributes, texts of the XML as "the portion of common formats in

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relations" are stored in Element Tables and Attribute Table as *"the relational database"*.

As further disclosed in the Element Table of Paragraph 0035, the second row includes the Element tag of the XML with ID = 2 as *"an indicator for a hierarchical level e.g., level 2 in the XML, of at least one of the portions of the plurality of common formats with the descriptors e.g., Element tag is one of elements, attributes and texts. The second row also includes ParentID = 1 of Element as "an indicator for a position of a next upper hierarchical portion, e.g., the "Example" tag at level 1, of the plurality of common formats within the descriptors e.g., "Example" tag is one of elements, attributes and texts.*

In light of the foregoing arguments, the rejection of claims 1-11 and added new claims 12-20 are sustained.

Conclusion

9. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP

§ 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

10. A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed; and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the

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advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

11. The examiner requests, in response to this Office action, support be shown for language added to any original claims on amendment and any new claims. That is, indicate support for newly added claim language by specifically pointing to page(s) and line no(s) in the specification and/or drawing figure(s). This will assist the examiner in prosecuting the application.

12. When responding to this office action, Applicant is advised to clearly point out the patentable novelty which he or she thinks the claims present, in view of the state of the art disclosed by the references cited or the objections made. He or she must also show how the amendments avoid such references or objections See 37 CFR 1.111(c).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Andalib F. Lodhi whose telephone number is (571) 270-1759. The examiner can normally be reached on Monday-Friday, 7:30am- 5:00pm, EST Alt Friday off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Pierre Vital can be reached on (571) 272-4215. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.


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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

June 7th, 2007

Andalib Lodhi
AU: 2109

/Hpham/


MOHAMMAD ALI
PRIMARY EXAMINER